

REMARKS

In the Office Action, Claim 14 was objected to because it was the same as claim 3. By this paper, Claim 14 has been amended to change its dependence and thus its scope. Accordingly, reconsideration and withdrawal of this rejection is requested.

Claims 1-5, 8, 9, 12-16, 19, 20, 23, and 24 were rejected under 35 U.S.C. 103(a) as being unpatentable over Dougherty et al. in view of Richter et al. and Degnan et al. The Examiner stated that Dougherty discloses a process to prepare a base oil comprising subjecting a mixture of a hydroisomerized Fischer-Tropsch (FT) wax and a petroleum derived feed to a catalytic pour point reducing treatment, and cited several portions of the Dougherty reference. This assertion is totally wrong. Dougherty does not disclose treating a mixture of a hydroisomerized Fischer-Tropsch wax and a petroleum derived feed to a catalytic pour point reducing treatment.

Dougherty is directed to a process for the production of high viscosity lubricating oil stock with an improved ZSM-5 catalyst. All of the examples in Dougherty treat petroleum derived feedstocks. The only references to a Fischer-Tropsch wax is in column 5, lines 1-2 which states, “Waxes produced by Fischer-Tropsch processing of synthesis gas may also be used as feedstocks” and in claim 2 which lists a Markush group of possible feedstocks and adds at the end “and mixtures or blends thereof.” Dougherty is focused on identifying an improved catalyst, not on improving the characteristics of a lube oil by the proper blending of a Fischer-Tropsch wax and a petroleum derived feed as is the present invention.

Additionally, the hydrotreating process that is first applied to the feedstock in Dougherty is primarily hydrocracking. See column 5, line 37 – column 7, line 52. There is no teaching of hydroisomerizing a Fischer-Tropsch wax prior to mixing it with a petroleum derived feed as required by claim 1 of the present application.

At the bottom of page 3 of the Office Action, the Examiner jumps to the conclusion that the paraffin content of the base oil in Dougherty would be in the range as claimed, citing column 5, lines 18-23 and 38-43. However, these references simply state that the product “contains higher quantities of waxy paraffins” or “which are relatively more paraffinic.” These citations do not establish that the paraffin content is within the claimed range. The Examiner also makes conclusory assumptions regarding the naphthene content on page 4 of the Office Action without specific support.

In view of the foregoing, Applicants submit that Claim 1 would not have been obvious in view of the references cited by the Examiner. Accordingly, reconsideration and withdrawal of the rejection is requested. Inasmuch as all of the remaining claims depend either directly or indirectly from claim 1, Applicants submit that they would not have been obvious for the same reasons.

Respectfully submitted,

GILBERT R. B. GERMAINE and
WIECHER D. E. STEENGE

By /Craig M. Lundell/
Attorney, Craig M. Lundell
Registration No. 30,284
(713) 241-2475

P.O. Box 2463
Houston, Texas 77252-2463